

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

PATRICIA CAMPBELL,

Plaintiff,

ORDER

19-CV-2368 (MKB)

v.

FCI LENDER SERVICE, INC. and LAWRENCE
and WALSH PC,

Defendants.

MARGO K. BRODIE, United States District Judge:

Plaintiff Patricia Campbell, proceeding *pro se*, commenced the above-captioned action on April 23, 2019 against Defendants FCI Lender Service, Inc. (“FCI”) and Lawrence and Walsh PC (“Lawrence & Walsh”). (Compl., Docket Entry No. 1.) Plaintiff alleges that Defendants violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (the “FDCPA”) and the Truth in Lending Act, 15 U.S.C. § 1601 (“TILA”), by failing to validate a debt and providing conflicting information concerning the debt. (*Id.* ¶ 18.) By Memorandum and Order dated August 7, 2020, the Court granted Defendants’ motions for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure (the “August 2020 Decision”). (Aug. 2020 Decision, Docket Entry No. 37.) The Court also granted Plaintiff leave to file an amended complaint within thirty days of the August 2020 Decision to allege facts in support of a fraud, TILA, and or section 1692e claim. (*Id.* at 7 n.7.) The Court warned Plaintiff that if she fails to file an amended complaint, the Court will dismiss this action and direct the Clerk of Court to close this case. (*Id.*) More than thirty days have passed, and Plaintiff has failed to file an amended

complaint. Accordingly, for the reasons set forth in the August 2020 Decision, the Court dismisses the case with prejudice.

Although Plaintiff has paid the filing fee to commence this action, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). The Clerk of Court is directed to mail a copy of this Order to Plaintiff at the address of record and close this case.

Dated: December 16, 2020
Brooklyn, New York

SO ORDERED:

s/ MKB
MARGO K. BRODIE
United States District Judge